

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**In re: LIBOR-Based Financial Instruments
Antitrust Litigation**

This document applies to:

The Regents of the Univ. of California v. Bank of America Corp., et al. S.D.N.Y. Case No. 1:13-cv-05186;

East Bay Municipal Utility District v. Bank of America Corporation, et al. S.D.N.Y. Case No. 1:13-cv-00626;

San Diego Assoc. of Governments v. Bank of America Corp., et al. S.D.N.Y. Case No. 1:13-cv-05221;

City of Richmond, et al. v. Bank of America Corporation, et al. S.D.N.Y. Case No. 1:13-cv-00627;

City of Riverside, et al. v. Bank of America Corporation, et al. S.D.N.Y. Case No. 1:13-cv-00597;

County of Mendocino v. Bank of America Corp., et al. S.D.N.Y. Case No. 1:13-cv-08644;

County of Sacramento v. Bank of America, et al. S.D.N.Y. Case No. 1:13-cv-05569;

County of San Diego v. Bank of America Corporation, et al. S.D.N.Y. Case No. 1:13-cv-00667;

County of San Mateo, et al. v. Bank of America Corporation, et al. S.D.N.Y. Case No. 1:13-cv-00625;

County of Sonoma et al v. Bank of America Corp., et al. S.D.N.Y. Case No. 1:13-cv-05187;

City of Houston v. Bank of America Corp., et al. S.D.N.Y. Case No. 1:13-cv-05616.

Master File No. 1:11-md-02262-NRB

ECF CASE

REQUEST FOR JUDICIAL NOTICE

**IN SUPPORT OF CALIFORNIA
PUBLIC PLAINTIFFS' AND CITY
OF HOUSTON'S OPPOSITION TO
DEFENDANTS' MOTIONS TO
DISMISS**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that California Public Plaintiffs and City of Houston hereby request, pursuant to Rule 201 of the Federal Rules of Evidence, that the Court take judicial notice of the following documents:

CORPORATE DISCLOSURE STATEMENTS

1. Rule 7.1 Corporate Disclosure Statement of Defendants JPMorgan Chase & Co., JPMorgan Chase Bank, N.A., Bear Stearns Capital Markets, Inc., J.P. Morgan Markets Limited, and J.P. Morgan Bank Dublin plc, No. 1:11-md-02262-NRB (S.D.N.Y. November 5, 2014) (Dkt. No. 739). A true and correct copy of this statement is attached hereto as **EXHIBIT A**.

2. Rule 7.1 Corporate Disclosure Statement of Defendants Citigroup Inc. and Citibank, N.A., No. 1:11-md-02262-NRB (S.D.N.Y. November 4, 2014) (Dkt. No. 712). A true and correct copy of the statement is attached to the Declaration of Nanci E. Nishimura in support of California Public Plaintiffs' and City of Houston's Opposition to Defendants' Motions to Dismiss ("Nishimura Decl.") as **EXHIBIT 9**.

PUBLIC RECORDS/ FILINGS

3. U.S. Securities and Exchange Commission ("SEC") webpage defining "CUSIP Number" available at <http://www.sec.gov/answers/cusip.htm>. A true and correct copy of the webpage is attached to the Nishimura Decl. as **EXHIBIT 1**.

4. Bank of America Corporation's SEC Form 10-K, dated February 27, 2010, for the fiscal year ended December 31, 2009, available at <http://services.corporate-ir.net/SEC/Document.Service?id=P3VybD1hSF1wY0RvdKwyRndhUzUwWlc1cmQybDZZWEprTG1OdmJTOWtiM2R1Ykc5aFpDNXdhSEEvWVdOMGFxOXVQVkJFUmlacGNHRm5aVDYyTVRjeU1UWTJKBk4xWW5OcFpEMDFOdz09JnR5cGU9MiZmbj1CQU5LT0ZBTUVSSU>

[NBQ09SUERFXzEwS18yMDA5MDIyNy5wZGY=](#). True and correct copies of relevant pages are attached to the Nishimura Decl. as **EXHIBIT 2** and **EXHIBIT 4**.

5. SEC Form 13F-NT text file, dated September 12, 2003, filed by Defendant Citigroup Inc., available at http://www.sec.gov/Archives/edgar/data/700691/000083100103000629/nt_1114.txt. A true and correct copy of the text file is attached to the Nishimura Decl. as **EXHIBIT 8**.

6. Citi Annual Report 2008 available at http://www.citigroup.com/citi/investor/quarterly/2009/ar08c_en.pdf?ieNocache=752. True and correct copies of relevant pages are attached to the Nishimura Decl. as **EXHIBIT 5** and **EXHIBIT 10**.

7. JPMorgan Chase & Co.'s Annual Report 2008 available at http://investor.shareholder.com/common/download/download.cfm?companyid=ONE&fileid=283416&filekey=66cc70ba-5410-43c4-b20b-181974bc6be6&filename=2008_AR_Complete_AR.pdf. A true and correct copy of relevant pages are attached to the Nishimura Decl. as **EXHIBIT 13**.

Federal Rule of Evidence 201(b)(2) permits the Court to take judicial notice of the foregoing documents because they are not subject to reasonable dispute, and because they can be “accurately and readily determined from sources whose accuracy cannot be reasonably questioned.” *See Roth v. Jennings*, 489 F.3d 499, 509-10 (2nd Cir. 2007) (taking judicial notice of SEC filing); *AmBase Corp. v. City of Investing Co. Liquidating Trust*, 326 F.3d 63, 27 (2nd Cir. 2003) (taking judicial notice of court’s own records); *Simpson v. Melton-Simpson*, No. 10-cv-6347, 2011 U.S. Dist. LEXIS 99051, *5., n.2 (taking judicial notice of parties’ filings in

action); *In re Elan Corp. Securities Litig.*, No. 02-cv-865, 2004 U.S. Dist. LEXIS 9913, *3, n.1 (S.D.N.Y. May 18, 2004) (taking judicial notice of defendant's annual report).

For the foregoing reasons, California Public Plaintiffs and City of Houston respectfully request that this Court take judicial notice of these documents.

DATED: December 8, 2014

COTCHETT, PITRE & McCARTHY, LLP

By:



NANCI E. NISHIMURA

Counsel for Plaintiffs The Regents of the University of California, East Bay Municipal Utility District, San Diego Association of Governments, City of Richmond, Richmond Joint Powers Financing Authority, Successor Agency to the Richmond Community Redevelopment Agency, City of Riverside, Riverside Public Financing Authority, County of Mendocino, County of Sacramento, County of San Diego, County of San Mateo, San Mateo County Joint Powers Financing Authority, County of Sonoma, David E. Sundstrom, in his official capacity as Treasurer of the County of Sonoma, City of Houston.

EXHIBIT A

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE LIBOR-BASED FINANCIAL
INSTRUMENTS ANTITRUST LITIGATION

This Document Relates to:
Case No. 14-cv-01757-NRB

Master File No. 1:11-md-2262-NRB

FEDERAL DEPOSIT INSURANCE
CORPORATION AS RECEIVER FOR AMCORE
BANK, N.A., et al.

ECF Case

Plaintiffs,

v.

BANK OF AMERICA CORPORATION; BANK OF
AMERICA, N.A.; MERRILL LYNCH & CO.;
MERRILL LYNCH CAPITAL SERVICES, INC.;
MERRILL LYNCH INTERNATIONAL BANK
LTD.; BARCLAYS BANK PLC; BRITISH
BANKERS' ASSOCIATION; BBA ENTERPRISES
LTD.; BBA LIBOR LTD.; CITIGROUP, INC.;
CITIBANK, N.A.; CITIGROUP FINANCIAL
PRODUCTS, INC.; COÖPERATIEVE CENTRALE
RAIFFEISEN-BOERENLEENBANK, B.A.;
CREDIT SUISSE GROUP AG; CREDIT SUISSE
INTERNATIONAL; DEUTSCHE BANK AG;
HSBC HOLDINGS PLC; HSBC BANK USA, N.A.;
THE HONGKONG AND SHANGHAI BANKING
CORPORATION LTD.; JPMORGAN CHASE &
CO.; JPMORGAN CHASE BANK, N.A.; BEAR
STERNS CAPITAL MARKETS, INC.; J.P.
MORGAN MARKETS LTD. (F.K.A. BEAR
STEARNS INTERNATIONAL LTD.); J.P.
MORGAN BANK DUBLIN PLC (F.K.A. BEAR
STEARNS BANK PLC); LLOYDS BANKING
GROUP PLC; LLOYDS TSB BANK PLC; HBOS
PLC; SOCIÉTÉ GÉNÉRALE; THE
NORINCHUKIN BANK; ROYAL BANK OF
CANADA; THE ROYAL BANK OF SCOTLAND
PLC; THE BANK OF TOKYO-MITSUBISHI UFJ
LTD.; UBS AG; and PORTIGON AG (F.K.A.
WESTLB),

Defendants.

RULE 7.1 CORPORATE DISCLOSURE STATEMENT OF DEFENDANTS

**JPMORGAN CHASE & CO., JPMORGAN CHASE BANK, N.A.,
BEAR STEARNS CAPITAL MARKETS, INC., J.P. MORGAN MARKETS LIMITED,
AND J.P. MORGAN BANK DUBLIN PLC**

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, Defendants JPMorgan Chase & Co., JPMorgan Chase Bank, N.A., Bear Stearns Capital Markets, Inc., J.P. Morgan Markets Limited, and J.P. Morgan Bank Dublin plc, by their undersigned counsel, state as follows:

1. Defendant JPMorgan Chase & Co. is a publicly held corporation. JPMorgan Chase & Co. does not have a parent corporation and no publicly held corporation owns 10 percent or more of JPMorgan Chase & Co.'s stock.
2. Defendant JPMorgan Chase Bank, N.A. is a wholly-owned subsidiary of JPMorgan Chase & Co., a publicly held corporation. No other publicly held corporation owns 10 percent or more of JPMorgan Chase Bank, N.A.'s stock.
3. Defendant Bear Stearns Capital Markets, Inc. is a wholly-owned subsidiary of The Bear Stearns Companies LLC, which, in turn, is a wholly-owned subsidiary of JPMorgan Chase & Co. No other publicly held corporation owns 10 percent or more of Bear Stearns Capital Markets, Inc.'s stock.
4. Defendant J.P. Morgan Markets Limited (f/k/a Bear Stearns International Ltd.) is a wholly-owned subsidiary of Bear Stearns Holdings Limited, which, in turn, is a wholly-owned subsidiary of Bear Stearns U.K. Holdings Limited, which, in turn, is a wholly-owned subsidiary of The Bear Stearns Companies LLC, which, in turn, is a wholly-owned subsidiary of JPMorgan Chase & Co. No other publicly held corporation owns 10 percent or more of J.P. Morgan Markets Limited's stock.

5. Defendant J.P. Morgan Bank Dublin plc (n/k/a J.P. Morgan Dublin plc) (f/k/a/ Bear Stearns Bank plc) is a wholly-owned subsidiary of JPMorgan Chase & Co., a publicly held corporation. No other publicly held corporation owns 10 percent or more of J.P. Morgan Bank Dublin plc's stock.

Dated: New York, New York
November 5, 2014

Respectfully submitted,

SIMPSON THACHER & BARTLETT LLP

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Stearns Capital Markets, Inc. J.P. Morgan
Markets Limited, and J.P. Morgan Bank
Dublin plc*